

**VERIFIED APPLICATION FOR ADMISSION *PRO HAC VICE*  
IN THE STATE OF SOUTH CAROLINA**

In re Application Regarding the  
Acquisition of Progress Energy,  
Incorporated by Duke Energy Corporation  
and Merger of Progress Energy Carolinas,  
Inc. and Duke Energy Carolinas, LLC

2011-158-E

Public Service Commission of  
South Carolina

Plaintiff

Case No.

Court

vs.

n/a

Defendant

Mailing Address of Court: 101 Executive Center Drive, Suite 100  
Columbia, S.C. 29210

Comes now Jonathan D. Newman, applicant herein, and respectfully represents the following:

1. Applicant resides at:

3418 N. Edison Street

Street Address

Arlington

City

County

VA

State

22207

Zip Code

703-407-1481

Telephone

2. Applicant is an attorney and a member of the law firm of (or practices law under the name of) Sherman, Dunn, Cohen, Leifer & Yellig, P.C., with offices at, at

900 7th Street, N.W., Suite 1000

Street Address

Washington

City

County

D.C.

State

20001

Zip Code

202-785-9300

Telephone

202-775-1950

Fax Number

3. Applicant has been retained personally or as a member of the above named law firm by International Brotherhood of Electrical Workers to provide legal representation in connection with the above case now pending before the above named court of the State of South Carolina.

4. Since February 7 of 1997, applicant has been, and presently is, a member in good standing of the bar of the highest court of the District of Columbia or the State of n/a where applicant regularly practices law. Attached is a certificate of good standing.

5. Applicant has been admitted to practice before the following courts: (List all of the following courts applicant has been admitted to practice before: United States District Courts; United States Circuit Courts of Appeals; the Supreme Court of the United States; and courts of other states or the District of Columbia.)

Court:	Date Admitted:
Supreme Court of Ohio	Nov. 14, 1994 (inactive)
District of Columbia Court of Appeals	February 7, 1997
U.S. District Court for the District of Columbia	Sept. 30, 1997
U.S. Court of Appeals for the Second Circuit	Nov. 5, 2007
U.S. Court of Appeals for the Fourth Circuit	August 25, 2000
U.S. Court of Appeals for the Sixth Circuit	March 17, 1997
U.S. Court of Appeals for the Seventh Circuit	June 14, 2002
U.S. Court of Appeals for the Ninth Circuit	Feb. 25, 2002



Applicant is presently a member in good standing of the bars of those courts listed above, except as listed below:  
(List any court named in the preceding paragraph that applicant is no longer admitted to practice before.)

Supreme Court of Ohio -- on inactive status

6. Applicant presently is not subject to any suspension or disbarment proceedings, and has not been formally notified of any complaints pending before a disciplinary agency, except as provided below (give particulars, e.g., jurisdiction, court, date):

7. Applicant never has had any application for admission *pro hac vice* in this or any other jurisdiction denied or any *pro hac vice* admission revoked, except as provided below (give particulars, e.g., date, court, docket number, judge, circumstances; attach a copy of any order of denial or revocation):

8. Applicant never has had any certificate or privilege to appear and practice before any administrative body suspended or revoked, except as provided below (give particulars, e.g., date, administrative body, date of suspension and reinstatement):

9. Local counsel of record associated with applicant in this case is D. Peters Wilborn, of the Derfner, Altman & Wilborn, LLC law firm, which has offices at:

P.O. Box 600

Street Address

Charleston

County

843-723-9804

Telephone

Charleston

City

S.C.

State

29402

Zip Code

If applicable list all other firms/attorneys you are associated with in this matter

10. Applicant has previously filed an application to appear *pro hac vice* in the following South Carolina cases (give case name and status of litigation, date of application, local counsel of record in each case, and state whether application is pending or was granted).

11. Applicant agrees to comply with the applicable statutes, laws and rules of the State of South Carolina and will familiarize him/herself with and comply with the South Carolina Rules of Professional Conduct. Applicant consents to the jurisdiction of the South Carolina courts and Commission on Lawyer Conduct.

12. Applicant respectfully requests to be admitted to practice in the above named court for this case only.

DATED this 5th day of August, 2011.

  
APPLICANT

VERIFICATION

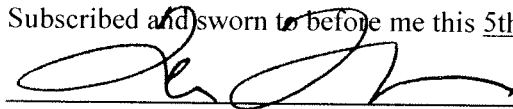
STATE OF       )

COUNTY OF       ) District of Columbia

I, Jonathan D. Newman, do hereby swear or affirm under penalty of perjury that I am the applicant in the above styled matter; that I have read the foregoing application and know the contents thereof; and that the contents are true of my own knowledge, except as to those matters stated on information and belief, and that as to those matters I believe them to be true.

  
APPLICANT/AFFIANT

Subscribed and sworn to before me this 5th day of August, 2011.

  
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Notary Public for the State of       

**TINA THOMAN**  
Notary Public, District of Columbia  
My Commission Expires July 31, 2014

My Commission Expires:       

LOCAL COUNSEL CONSENT

I hereby consent, as local counsel of record, to the association of applicant in this cause pursuant to Rules Governing Admission *Pro Hac Vice* to the South Carolina Bar.

DATED this 17 day of August, 2011.

  
LOCAL COUNSEL OF RECORD

CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of this application upon the South Carolina Supreme Court by mail addressed to: South Carolina Supreme Court Office of Bar Admissions, PO Box 11330, Columbia, SC 29211, accompanied by payment of the \$250 filing fee payable to the South Carolina Supreme Court on this 17 day of August, 2011.

  
APPLICANT/AFFIANT  
 8-17-11